28.

XXIII.

Political Diſcourſes:

Tending to

The INTRODUCTION of a

Free and Equal

COMMONVVEALTH

IN

ENGLAND.

By *James Harrington*, Eſquire.

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1 Pour enclouer le Canon

2 On this saying; y^t the Spirit of the Nation is not yet to be trusted with Liberty; lest it introduce Monarchy, or invade ye Liberty of Conscience

3 Names of a Committee for inspecting Mr H. proposals.

4. That ye Spirit of Parliaments wth a council in ye Intervalls is not to be trusted for a Settlem^t lest it introduce monarchie, & persecution p^r Cons:

5 A Parallell of the Spirit of the People with the spirit of Mr Rogers.

6. Aphorisms Politicall. 2^d Edition larged.

7 Valerius & Publicola. or the true forme of a popular Commonwealth.

8 An Answer to Mr Taubes.

Pour enclouer le Canon.

IT is obvious and apparent unto ſenſe, That *Venice*, *Holland*, *Switz*, are not moleſted with civil War, Strife or Sedition, like *Germany*, *France*, *Spain* and *England*; yet will men have a Commonwealth to be a confuſion. What confuſions we have had in *England*, while the Norman Line ſtrove for abſolute power, while the Barons ſtrove for ancient Liberty, while the Houſes of *York* and *Lancaſter* ſtrove for Royal Dignity; and laſt of all, during theſe eighteen years, in the Wars that have been between the King and the People, in the difference of Judgment both concerning Religion and Government, and under the perfidious yoke of the late Tyranny, is known. At the apparition, or but name of a Commonwealth, and before any ſuch Orders are introduced, or perhaps truly underſtood, all men, or the moſt of them, are upon a ſuddain agreed that there be a good and perfect Fixation of the Army unto the Old Cauſe; and that the remnant of the Long Parliament be aſſembled: ſo we have this for a taſt or reliſh of a Commonwealth, that of the eighteen, the preſent year is already the moſt unanimous. Nor can this be attributed unto Chance; ſeeing the wit of man, our caſe conſidered, could not, I think, have invented a more natural and neceſſary way of launching into the Orders of a Commonwealth, then firſt by Fixation of the Army ſo, as no Council enſuing may have any ambitious party on which to ſet up: and then to aſſemble that Council which hath given teſtimony of it ſelf, to have been the moſt popularly addicted. By theſe it is no leſs then demonſtrated, that the Army is faithful, and the people (for the

most active part of them, which in like cases cometh to more then all the rest) is wise. Be it granted, that the far greater part of them (*Libertatis dulcedine nondum expecta*) would force us unto the continuation of Monarchy, if they could, this is the old temper of a people in like cases: thus the Romans, upon the death of *Romulus*, forced the Senate, who would have introduced a Common-wealth, to elect *Numa* with the succeeding Kings; and could not be brought unto the abolition of Monarchy, till it was imposed upon them by *Brutus* to abjure it. Nevertheless, this people having once tasted of liberty, were of all others the most constant Assertors of the same. It causeth with the best Politicians despair, and, as it were, a kinde of tearing themselves, that the people, even where Monarchy is apparently unpracticable, and they have no way but a Commonwealth or confusion, hold their ancient Laws and Customs unalterable, and persecute such as advise the necessary change of them, how plainly soever demonstrated, as Authors of Innovation, with hatred, if not in tumult and with violence, as when *Lycurgus* in a like assault lost one of his eyes. Here is the discouragement; the Many through diversity of Opinions, want of reach into the principles of Government, and unacquaintance with the good that may by this means be acquired, are never to be agreed in the introduction of a new form: but then there is also this consolation, that the *many* upon introduction of a new form, coming once to feel the good, and taste the sweet of it, will never agree to abandon it. This is all the comfort that Politicians, in like cases, have been able to give themselves upon consideration of the nature of the people in general. But if we consider the nature of the people of *England*, I am much deceived, or the consolation of knowing men, and good Patriots, may yet be far greater. For though the people of *England* may be twenty to one for Monarchy, they are but deceived by the name, seeing they having of late years been more arbitrarily governed then formerly, desire no more under this name, in the truth of their meaning, then not to be at the will of men, but return unto the Government of Laws;

See M. B. l.c. 5.

for

for the late Monarchy being rightly considered, was indeed no more then an unequal Commonwealth; onely here is the fault of all unequal Commonwealths, they pretend to be Governments of Laws, and at the same time defer unto some one, or few men, such power, prerogative and preheminence, as may invade and oppress Laws; which fault was the cause of perpetual feud, or at least jealousie between our Kings and our Parliaments. But there is in relation unto the people of *England*, yet a greater encouragement unto Commonwealths-men: for though if we look upon the true cause of popular Government, the balance hath been many years in turning, yet since it came to be so perceivable as to cause any mention of a Commonwealth, it is but a short time. Should we go so far as to compute it from the beginning of the late VVar, it exceedeth not eighteen years, in which the eyes and affections of the people are so wonderfully opened and extended, that I do not think there are fewer then fifty thousand of the more active and knowing that drive vigorously at a Commonwealth; while the rest are not onely calm and passive, but mature for any good impression without danger, or indeed appearance of any VVar or Tumult that can ensue upon the introduction of a new form: nor is there the least improbability that an equal Commonwealth may be received with embraces, seeing a Tyranny came not onely in, but was supported without blood. But if people for the extent of their Territory, and for their bulk or number so great as this of *England*, should fall (to take a larger compass then I hope we shall need) within the space of thirty years out of Monarchy, to which they have ever been accustomed, into a Commonwealth of which they have had no experience nor knowledge, and that (except in the ruine of Monarchy, which how infirm soever, useth not to expire otherwise) without rapine, VVar, or indeed without any great confusion, I doubt whether the world can afford another example of the like natural, easie and suddain transition of one Government into another. Yet ere two parts in three of this time be expired, men can be despairing. In what (say they) have you shewn us that we must necessarily be a Commonwealth? Why

in this, (say I) that you cannot shew me how we should be any thing else. In what posture (say they) do we see the people to give us this hope? VVhy in the very best (say I) that in this state of Affairs a people (if you consider their humour or nature) could have cast themselves into. This posture to return is thus, or at least thus I take it to be: The Armies of this Nation by restitution of their old Officers, are fixed, resolved upon, and encouraged by the most active part of the people towards the prosecution of the Old Cause, or introduction of a popular form: the framing of this form is modestly and dutifully defer'd by them unto the civil power in the restitution of the Long Parliament, in that remnant of the same which declared for, and obliged themselves unto this end.

Now putting this to be the case, I come to the scope of this Paper, which is to discourse upon this posture; in which to my understanding, there are but three things that can interpose between us and a Commonwealth, and but two more that can interpose between us and an equal Commonwealth. The things that may interpose between us and a Commonwealth, are such Monarchy, as can no otherwise get up then by forraign Invasion; or Tyranny, which at the strongest among us was not of any duration, and which changing hands must still be weaker: of these two, they being onely possible, and no whit probable, I shall say no more. But the third thing which can interpose between us and a Commonwealth is Oligarchy, which in like cases hath been more probable and incidental, then I conceive it to be at the present: such a thing if it be introduced among us, is most likely to be of this form.

It may consist of a Council not elected by the people, but obtruded upon us, under the Notion of a Senate or a Balance, or of Religion; and it may be for life, or for some certain or pretended term, with a Duke or Princely President at the head of it, or without one.

The power at which such a Council doth naturally drive, is to call Parliaments, and to govern in the intervals: but the success of such a Council, will be, that if in calling Parlia-

liaments, it do not pack them, it will be forthwith ruined; and if it do pack them, then the case of such a Councel and a Parliament will be no otherwise different from the case of a single person and a Parliament, then that more Masters less able to support their greatness, & whose greatness we shall be less able to support, will be a burden by so much more heavy, then one Master more able to support his greatness, and whose greatness we were more able to support. But this will either not be, or be of no continuance.

The things that can interpose between us and an equal Commonwealth, are either a Senate for Life, or an Optimacy.

The seventy elders in Israel, were a Senate for life; this though constitutively elected by the people, became after the captivity, or in the *Jewish* Commonwealth (how anciently is uncertain) meer Oligarchy, by the means of ordination; no man being capable of Magistracy except he were a Presbyter, no man being made a Presbyter but by laying on of Hands, and the Prince with the Senate engrossing the whole power of laying on of Hands.

Nor were the people thus excluded, and trampled upon by the Pharisees under other colour then that of Religion, or tradition derived in their Oral Law or Cabala from *Moses*, in whose Chair they sat, and not only pretended their Government to be a government of Saints, but in some things bade faire for that title then others, who assumed it afterwards: for that they did miracles, is plain in these words of our Saviour, unto them: *If I by Beelzebub cast out Devils, by whom do your children cast them out? therefore they shall be your judges*, Mat. 12. 27. By which I may believe that Miracles themselves do not in any wise oblige us to hope that such a state of Government can be Religious or honest: much less, where there are no miracles, nor any such certain distinction to be outwardly made between a Saint and an Hypocrite, as may secure us that we shall not have Hypocrites imposed upon us for Saints. The surest testimony of Saintship in rulers, is, when they are willing to admit of such orders in Government, as restrain the power

to do wickedly, or of lording it over their brethren.

Upon the pattern of the High-priest, and the seventy Elders, arose the government of the Pope and his seventy Cardinals, pretending also unto Saintship; which nevertheless is as little yeelded unto them, as they assume that a Councel of seventy for life, is a good guard of the liberty of Conscience.

The next Senate for life, was that of *Lacedemon*, consisting of two Kings hereditary, and twenty eight Senators elective. These notwithstanding they were not eligible but by the people, and at the sixtieth year of their age, and by the Balance or equal Agrarian of their Commonwealth, could not any one of them excel the meanest Citizen in their lot, or shares in Land; so vigorously attempted to draw the whole result of the Commonweal h unto themselves, that if the people had not striven as vigorously for the preservation of their right, they had been excluded from making their own Laws. The expedient found out by the people in this exigent, was their election of five annual Magistrates out of their own number, called the *Ephori*, with power to try, condemn and execute any of their Kings or Senators which thenceforth should go about to subvert the fundamental Laws of their Government, by which it belonged unto the Senate to debate and propose only, and unto the assembly of the people to resolve. Without this expedient (which in another Commonwealth not planted upon a like Agrarian, would have availed little, as the *Roman* people heard afterwards by their Tribunes) had the people af *Lacedemon* through a Senate for life been deprived of their liberties.

The *Roman* Commonwealth was also founded upon a Senate for life; which though first instituted by election of the people, came afterwards to be such into which their children found other admittance, in such manner as from hence grew a *Patrician* order, ingrossing not only the Senate, and excluding the people from bearing Magistracy in the Commonwealth, but oppressing them also by an heavy yoke of Tyranny,

ny, which caused perpetual fewd between this Senate and the People, and in the end the ruine of the Commonwealth. Yet entitled this Nobility themselves unto these prerogatives, no otherwise then by such religious rites, as among them were believed to confer Saintship, and thereby to intitle them unto Dominion over the people, in which they were also aided by the Optimacy.

Now examples of a Senate for Life being of like nature and necessary consequence, it is my hope and prayer, that never any such be introduced in *England*.

But in case of an Optimacy, a Commonwealth, though not admitting of a Senate for Life, may yet be unequal.

Athens consisted of a Senate upon annual Rotation; yet through the Optimacy which was instituted by *Solon*, came under such a yoke of the Nobility, as upon victory obtained in the battel of *Platea*, they took the opportunity to throw off, and reduce the Commonwealth unto more equality.

An Optimacy is introduced, where a people is not only divided by Tribes according to their habitation; but every Tribe into Classes, according unto their estates or different measures in riches; as if you should cast all that have above two thousand pounds a year into one Classis; all that have above one thousand pounds a year, into another; all that have above five hundred, into a third; and so forth, for as many Classes as you like to make.

Now if in this case the first and second Classes may give the suffrage of the whole people, as in *Rome*; or that these only may enjoy the Senate, and all the Magistracies, though but upon Rotation, as in *Athens*; yet the people, as to these parts being excluded, the Commonwealth must needs remain unequal: wherefore this also ought to be forewarned, to the end that it may be prevented.

To conclude, if we in *England* can have any Monarchy, we shall have no Commonwealth; but if we can have no Monarchy, then bar but a Senate for Life, and an Optimacy, and we must have an equal Commonwealth. Successive Parliaments, whether immediately, or with Councels in the intervals,

vals, and like fancies, will be as void of effect, as of example, or reason.

But an abundance of things is tedious; we would have such a Commonwealth as may be dictated in a breath. Thus then: Let a Senate be constituted of Three hundred, and a Popular Assembly of One thousand and fifty, each for the term of three years, and to be annually changed in one third part. But in case a Commonwealth were thus briefly dictated, what would this abate of those many things which must of necessity go unto a like structure, that it may be equally and methodically brought up from a firm and proper foundation? there is no way of dictating a Commonwealth unto facile practice, but by the seeming difficulty of the whole circumstances requisite, even to a tittle. Nevertheless to try again: Let the Lands throughout *England* be all cast into some Parish. Let every Parish elect annually a fifth Man; let every hundred of these fifth men, with the places of their habitation, constitute one hundred; then cast twenty of these hundreds into one Tribe or Shire. Putting the case the Tribes or Shires thus stated amount unto fifty, let the fifth men or Deputies in every Tribe or Shire, elect annually two out of their own number, to be Senators for three years, and seven to be of the assembly of the people for a like term, each term obliging unto an equal interval: which Senate being for the first year constituted of three hundred, and the Assembly of the people of one thousand and fifty, gives you those bodies upon a triennial Rotation, and in them the main orders of an equal Commonwealth. If you must have a Commonwealth, and you will have an equal Commonwealth, then (pardon my boldness) after this or some like manner must you do, because like work never was, nor can be done any otherwise.

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